


8/05/09 11:50:27
DK W BK 613 PG 657
DESOTO COUNTY, MS
W.E. DAVIS, CH CLERK

Prepared by: J. Gary Massey Shapiro & Massey, L.L.P. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 MSB # 1920 S&M No. 07-5003	Return to: Shapiro & Massey, L.L.P. 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601)981-9299 Loan No. XXXX1984
---	---

GRANTOR	GRANTEE
J. Gary Massey Shapiro & Massey, LLP 1910 Lakeland Drive, Suite B Jackson, MS 39216 (601) 981-9299	 Robert Lancaster 428 Hwy 6 East, Suite 308 Batesville, MS 38606 901-409-3057

SUBSTITUTED TRUSTEES DEED

INDEX: Lot 1742, Sec. D, DeSoto Village, Belle Meade S/D, S-33, T-1-S, R-8-W, Horn Lake, DeSoto Co/MS

WHEREAS, on January 20, 1987, Marvin L. Hale and wife, Shirley J. Hale, executed a Deed of Trust to Jim C. Hodge, Trustee for the benefit of Mercantile Mortgage Corp., which Deed of Trust is filed for record in Book 390 at Page 553 and re-recorded in Book 392 at Page 530 and reformed in Chancery Cause No. 07-04-0770 in the office of the Chancery Clerk of DeSoto County at Hernando, Mississippi; and

WHEREAS, Elizabeth G. Moore assumed said Deed of Trust by Assumption Warranty Deed dated June 1, 1990 and recorded in Book 226 at Page 319 of the aforesaid Chancery Clerk's office; and

WHEREAS, said Deed of Trust was subsequently assigned to MidFirst Bank by instrument dated July 16, 1997 and recorded in Book 934 at Page 158 of the aforesaid Chancery Clerk's office; and

WHEREAS, as authorized by the aforesaid Deed of Trust and in strict accordance therewith, Midfirst Bank, substituted J. Gary Massey as Trustee therein in the place and stead of the trustee named in said Deed of Trust or subsequently substituted therein by Substitution of

Grantor

5

Trustee dated March 9, 2007, and duly filed for record in the office of the aforesaid Chancery Clerk in Book 2680 at Page 287 prior to the first publication and posting of the notice of sale; and

WHEREAS, default having been made in the terms and conditions of said Deed of Trust, which default continued for a period of time necessary for the holder thereof to declare the entire indebtedness, together with attorney's fees, expenses and costs, immediately due and payable, as was its option so to do under the terms of said Deed of Trust, and default having been made in payment of said amount and the Substituted Trustee having been requested and directed by Midfirst Bank to foreclose under the terms of said Deed of Trust, I did on July 14, 2009, during legal hours, being between the hours of 11:00 a.m. and 4:00 p.m., at the East Front Door of the County Courthouse of DeSoto County, located at Hernando, Mississippi, in accordance with the terms of the Deed of Trust and the laws of the State of Mississippi, offer for sale at public auction and sell to the highest and best bidder for cash the following described land and property lying and being situated in DeSoto County, Mississippi, being more particularly described as follows, to wit:

(See Exhibit A)

Said property was sold after strictly complying with all the terms and conditions of said Deed of Trust and the statutes made and provided in such cases. A notice of time, place and terms of said sale, together with a description of the property to be sold, was given by publication in The DESOTO TIMES-TRIBUNE, a newspaper published in DeSoto County, Mississippi for three consecutive weeks preceding the date of sale. The notices were published on June 23, 30 and July 7, 2009, (a certified copy of which is attached hereto,) and a notice identical to the published notice was posted on the bulletin board at the East Front Door of the County Courthouse of DeSoto County, Hernando, Mississippi for said period of three consecutive weeks. Everything necessary to be done was done to make and effect a good and lawful sale.

At said Sale, Robert Lancaster bid for said property in the amount of \$21,600.00, which being the highest and best bid, the same was then and there struck off to Robert Lancaster and it was declared the purchaser thereof.

NOW THEREFORE, in consideration of the full payment of the purchase price, I, the undersigned Substituted Trustee, do hereby sell and convey unto Robert Lancaster the land and property herein described. I convey only such title as is vested in me as Substituted Trustee.

WITNESS MY SIGNATURE, on July 14, 2009.



J. Gary Massey, Substituted Trustee

STATE OF MISSISSIPPI
COUNTY OF HINDS

Personally appeared before me, the undersigned authority in and for said county and state, on this the Fourteenth day of July, 2009, the within named J. Gary Massey, Substituted Trustee, duly identified before me, who acknowledged that in said representative capacity he executed the above and foregoing instrument, after having first been duly authorized to do so.



Notary Public

My commission expires:



(Exhibit A)

Lot 1742, Section D, DeSoto Village, Belle Meade Subdivision, Section 33,
Township 1 South, Range 8 West, as recorded in Plat Book 10, Page 9, in the
Chancery Court Clerk's Office of DeSoto County, Mississippi.

PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times-Tribune, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 3 consecutive times, as follows, to-wit:

SUBSTITUTED TRUSTEE'S NOTICE OF SALE

WHEREAS, on January 20, 1997, Marvin L. Hale and wife, Shirley L. Hale, executed a certain deed of trust to Jim C. Hodges, Trustee for the benefit of Mercantile Mortgage Corp., which deed of trust is of record in the office of the Chancery Clerk of DeSoto County, State of Mississippi in Book 390 at Page 553, re-recorded in Book 392 at Page 530 and reformed in Chancery Cause No. 07-04-0770; and

WHEREAS, Elizabeth Giren Moore assumed said Deed of Trust and assumed said Deed dated June 1, 1990 and recorded in Book 226 at Page 319 of the aforesaid Chancery Clerk's Office; and

WHEREAS, said Deed of Trust was subsequently assigned to Midfirst Bank by instrument dated July 16, 1997 and recorded in Book 934 at Page 156 of the aforesaid Chancery Clerk's Office; and

WHEREAS, Midfirst Bank has hereinafter substituted J. Gary Massey as Trustee by instrument dated March 8, 2007 and recorded in the aforesaid Chancery Clerk's Office in Book 2660 at Page 267; and

WHEREAS, said notice having been made in the terms and conditions of said deed of trust and the entire debt secured thereby having been declared to be due and payable in accordance with the terms of said deed of trust, Midfirst Bank, the legal holder of said indebtedness, having requested the undersigned Substituted Trustee to execute the trust and sell said land and property in accordance with the terms of said deed of trust and for the purpose of raising the sums due thereunder, together with attorney's fees, trustee's fees and expenses of sale.

NOW, THEREFORE, J. Gary Massey, Substituted Trustee in said deed of trust, will on July 14, 2008 offer for sale at public outcry and sell within legal hours (being between the hours of 11:00 a.m. and 4:00 p.m.), at the East Room of the County Courthouse of DeSoto County, located at Hernando, Mississippi, to the highest and best bidder for cash the following described property situated in DeSoto County, State of Mississippi, to-wit:

Volume No. 114 on the 33 day of June, 2009

Volume No. 114 on the 30 day of June, 2009

Volume No. 114 on the 7 day of July, 2009

Volume No. _____ on the _____ day of _____, 2009

Volume No. _____ on the _____ day of _____, 2009

Volume No. _____ on the _____ day of _____, 2009

Diane Smith

Lot 1742, Section D, DeSoto Village, Belle Meade Subdivision, Section 33, Township 1 South, Range 8 West, as recorded in Plat Book 10, Page 8, in the Chancery Court Clerk's office of DeSoto County, Mississippi.

I WILL CONVEY only such title as vested in me as Substituted Trustee:

WITNESS MY SIGNATURE on this 18th day of June, 2009.

J. Gary Massey
SUBSTITUTED TRUSTEE
Shapiro & Massey, L.L.P.
1910 Lakeland Drive

Jackson, MS 39216
(601)981-8299
3620 Woodland Drive
Horn Lake, MS 38637
07-5003DT

Publication Dates:
June 23, 30 and July 7, 2009

Sworn to and subscribed before me, this 7 day of July, 2009

BY *Judy H. Douglas*

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE
MY COMMISSION EXPIRES: JANUARY 16, 2013
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

A. Single first insertion of 434 words @ .12 \$ 52.08

B. 2 subsequent insertions of 868 words @ .10 \$ 86.80

C. Making proof of publication and deposing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 141.88



45 Hwy. 51 South, Hernando, MS 38632 • 662.429.6397 • Fax: 662.429.5229